

MISS DAVIS NAMES BECKER AS PLOTTER

Attack on Her Administration Is Made by Prisoners in Tombs.

SHE CONDUCTS AN INQUIRY Favors From Tammany Motive for Doctored Petition, Declares Confessed Writer.

Charles Becker, besides being on trial for his life, is accused of being a leader in a plot of Tombs prisoners to discredit Mayor Mitchell by attacking the administration of Miss Katharine B. Davis, Commissioner of Correction, with the hope of pleasing "Fourteenth Street" and thereby winning the approval of Gov. Glynn and Attorney-General Carmody and getting favors if Becker needs them.

Privileges Taken Away.

This petition, which Philip Musica says he wrote with Becker's fountain pen and Becker corrected, was sent outside the prison, typewritten and mailed to Miss Davis, a copy going to Warden Hanley. Five other prisoners, according to Miss Davis, said they saw Musica and Becker preparing this petition on Tuesday near Musica's cell in the corridor of the first tier.

Immediate Result Was an Order from Miss Davis depriving Becker and the other alleged conspirators of their privileges.

Becker cannot see his wife and may confer with his lawyers only in a cell. The prisoners on each side of him have been transferred, leaving him isolated. Musica, who is awaiting an appeal of his conviction for swindling banks out of \$1,000,000 by false invoices on human hair importations, was shifted from the first tier to the fourth, where, says Miss Davis, "he will no longer be able to confer with his confederates."

Miss Davis Visits Tombs.

When Miss Davis read them she went straight to the Tombs with Deputy Commissioner Lewis and L. B. Bland of the Commissioner of Accounts office. She said she recognized the right of free petition, but it must be respectfully asked and supported. It was genuine, but one of the first prisoners she talked to told her it was not.

Becker's Name First on the List.

"Becker's name was first on the list," Miss Davis asked. From other prisoners she learned that other names near the top were those of Philip Musica, John N. Anhalt, the Thaw lawyer who got into trouble; Burton G. Gibson, the lawyer accused of aiding Mrs. Zerkow; and Paper Collar Joe Stewart, the wire-tapper. None of these names was on the petition sent to Miss Davis.

Prisoner Told Her that after the names were signed the first sheet was removed and a fifteen page petition written in ink was substituted.

Miss Davis said she remarked to Musica that she found it incredible that Becker should be mixed up in such a thing, and that Musica replied: "This thing is far bigger than you think it is. It is a plot to discredit Mayor Mitchell by attacking the administration of Miss Davis. It is a plot to discredit Mayor Mitchell by attacking the administration of Miss Davis. It is a plot to discredit Mayor Mitchell by attacking the administration of Miss Davis."

BECKER WILL TAKE STAND HIMSELF

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under investigation for contempt aimed at the lawyers in the case. It appears, however, that affidavits have been offered to the District Attorney reciting that when Mr. Becker was leaving the Criminal Courts Building on Wednesday he paused long enough to remark, with a gesture, that he was through with the Becker case because it was "assassination."

Jury Material Gives Out.

As on the first day Justice Seabury was obliged to adjourn court while the afternoon was yet young because the lawyers ran out of jury material. Of 100 men called in the evening section of the special panel eighty-one answered to their names and from these only two jurors qualified. These were Dwight W. Custer of 700 West 180th street, formerly a printer and now an inventor, a man of 68, tall, of figure and with a pleasant, agreeable face, and Ambrose V. Farley of 527 West 186th street, a broker's clerk, youthful and obviously intelligent.

At his own request and for personal reasons Juror No. 2 is excused.

This action of the court affects upon his character or his integrity. The fine progress in jury making of the first day of the trial was nullified by the lack of jurors yesterday. A situation of this kind cannot be permitted to recur. The court will adjourn until Monday. The third section of the special panel will be in court this morning at 10:30 o'clock, but an entirely new panel of 100 has been requested from the Jury Commission and it will appear at 2 P. M. to-day, so as to guard against the possibility of exhausting the morning's 100.

Deputy City Clerk Sculley, in charge of the Marriage License Bureau in Brooklyn, is worried because his books won't balance.

There are 2,000 licenses unaccounted for, according to figures tabulated yesterday, and Mr. Sculley is wondering whether to attribute the discrepancy to the fickleness of women or the rashness of men. That many of these non-returns indicate circumstances more unpleasant than blighted romances is revealed by the official record. In 1913, for instance, nearly 200 licenses were obtained through perjury and all trace of the couples was lost while 277 couples dropped out of sight last year after securing licenses illegally in 127 cases no marriage followed.

Failure to make returns is attributed in a measure to this illusion regarding the ceremony of securing the license.

When the ceremony is performed by the magistrate performing the real ceremony would return the license to the bureau. In many instances, however, it seems that both parties are parties to the fraud, giving addresses found to be fictitious when the police investigate. Where returns are made on failure to marry the reasons given run from the tragic to the ridiculous. Here are some of them: "The license was destroyed on discovery that the groom had been in jail"; "I do not think this license will be used, as the groom is on trial for murder"; "I am too young"; "I don't want to be married no more"; "My bride was married before and he is still living."

One of the cases in which the perjurer has been arrested grew out of the perjurer's willingness to do a favor for a friend.

He went to the bureau with a widow—mother of four children—and secured a license in the name of an eighteen-year-old bride. The bride's name was the father's name and it was taxed Mr. Sculley with stupidity in issuing a license. As the license indicated that the applicant was 38, Mr. Sculley put the matter before the police. The widow was questioned and confessed.

First step of the afternoon was the elimination of Mr. Dalton, Juror No. 2.

Charles E. Kay of 15 Gramercy Park, a writer, said that he was acquainted with William Cuckran, Rhinelander Waldo, William Travers Jerome, and was about to add to the list when the District Attorney called him to the city to give his opinion on the Becker case. He said that he was in just the sort of a gesture an umpire makes when he calls a runner out. At 3:30 the section was used up and Justice Seabury sent the jurors to the Murray Hill Hotel with the customary admonition not to discuss the case. It became known yesterday that one of the most important new witnesses for the people will be James Marshall, an actor, who is prepared to testify that he saw Rose and Becker conferring at a time and place specified by Rose when he testified at the trial. Marshall and other new witnesses, including corroborative points may eliminate Sam Schepps as an important factor. The matter is worrying Mr. Schepps, who has bought a lot of gray hair and has polished up his gray beard.

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